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08/829,857	04/01/97	RIELEY	J	002964-P001

EXAMINER
PEZZLO, J

ART UNIT	PAPER NUMBER
2738	10

DATE MAILED:
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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 08/829,857	Applicant(s) Rieley et al.		
	Examiner John Pezzlo	Group Art Unit 2738	

☒ Responsive to communication(s) filed on _19 Jan 2000_

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle* 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____3_____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) _19-42_ is/are pending in the applicat

  Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) _19-42_ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

  ☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

    ☐ received.

    ☐ received in Application No. (Series Code/Serial Number) _____ .

    ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

  *Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

U. S. Patent and Trademark Office
PTO-326 (Rev. 9-95)   Office Action Summary   Part of Paper No. ___10___

DETAILED ACTION

Continued Prosecution Application

The request filed on 10 January 2000 for a Continued Prosecution Application (CPA)

under 37 CFR 1.53(d) based on parent Application No. 08/829857 is acceptable and a CPA has

been established. An action on the CPA follows.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

I.   Claims 19-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Rogers et al.

(US 5,946,386) hereinafter Rogers.

Rogers discloses a call management system with call control from the user (called party) workstation computers.

1.   With respect to claim 19 - A system comprising:

a set of switches coupled to a circuit switched network for receiving a set of incoming call signals; and,

Rogers discloses a set of switches (PBX and the switches within the call management computer) coupled to the circuit switch network, PSTN, for receiving incoming call signals, refer to Figures 1 and 2 and column 1 lines 48 to 62 and column 2 lines 59 to 67 and column 3 lines 1 to 9.

a set of communications servers coupled to the set of switches for receiving the set of incoming call signals, each communications server being coupled to a network and containing a message processing resource configured to process a received audio message into a digital representation;

Rogers discloses a set of communication servers, one within the PBX, one within the user's workstation, and the other within the call management computer, which receive incoming call signals, both servers are coupled to the data network (organization LAN and WAN networks) and audio messages are processed into digital representation, refer to Figures 1 and 2 and column 2 lines 4 to 58 and column 6 lines 44 to 63 and column 8 lines 46 to 67 and column 9 lines 34 to 52.

where a switch in the set of switches redirects an incoming call signal from a first

communications server to a second communications server if a first condition occurs.

Rogers discloses that if the incoming call is addressed to the user

that is on the phone (busy condition) the PBX redirects the call back to the call management

computer to be handled using other procedures such as the call management server and user

workstation server interact to determine what the user wants to do with the call, refer to Figures

1 and 2 and column 9 lines 54 to 67 and column 10 lines 1 to 46 and column 12 lines 36 to 67

and column 13 lines 1 to 45.

2.   With respect to claim 20 - The system of claim 19, where the first condition occurs if the

first communications server sends a rejection signal to the switch.

Rogers discloses that the first condition exists if the PBX (switch)

sends a busy signal to the call management computer (server) indicating the user is on the

phone, refer to Figures 1 and 2 and column 9 lines 54 to 67 and column 10 lines 1 to 46 and

column 12 lines 36 to 67 and column 13 lines 1 to 45 and column 38 lines 55 to 67 and column

39 lines 1 to 15.

3.   With respect to claim 21 - The system of claim 19, where the first condition occurs if the

first communications server is unable to process the incoming call signal.

Rogers discloses that the first condition occurs when the communication server (PBX) is unable to process the incoming call signal since the user is on the phone (busy condition), refer to Figures 1 and 2 and column 2 lines 15 to 21 and column 9 lines 54 to 67 and column 10 lines 1 to 46 and column 12 lines 36 to 67 and column 13 lines 1 to 45 and column 38 lines 55 to 67 and column 39 lines 1 to 15.

4.   With respect to claim 22 - The system of claim 19, where the incoming call signal signals an incoming call and the first condition occurs if the first communications server is unable to process the incoming call.

Rogers discloses that the first condition occurs when the communication server (PBX) is unable to process the incoming call signal since the user is on the phone (busy condition), refer to Figures 1 and 2 and column 2 lines 15 to 21 and column 9 lines 54 to 67 and column 10 lines 1 to 46 and column 12 lines 36 to 67 and column 13 lines 1 to 45 and column 38 lines 55 to 67 and column 39 lines 1 to 15.

5.   With respect to claim 23 - The system of claim 19, further comprising a system management unit for setting the first condition.

Rogers discloses the call management computer which comprises a system management unit for setting the first condition, refer to Figures 1 and 2 and column 1 lines 47 to 62.

6.   With respect to claim 24 - The system of claim 19, further comprising a system

management unit, and the first condition occurs if the system management unit determines that

the second communications server should receive the incoming call signal.

Rogers discloses that the system management unit (call

management computer) determines that the second communication server, the user work station,

should receive the incoming call since the user is on the phone and the call can not be

completed, refer to Figures 1 and 2 and column 2 lines 15 to 21.

7.   With respect to claim 25 - The system of claim 19, where the set of switches includes a

second switch, and the first communications server is coupled to the switch and the second

communications server is coupled to the second switch.

Rogers discloses that the first communication server (call

management computer) is connected to the CO and the PBX switches and the second

communication server (user workstation) is connected to the second switch, call management

computer switch, refer to Figures 1 and 2 and column 6 lines 44 to 67 and column 7 and column

8.

8.   With respect to claim 26 - The system of claim 25, where the switch redirects the

incoming call signal to the second switch.

Rogers discloses that the CO/PBX switches redirect the incoming call signal to the call management computer switch, second switch, wherein the call management computer interfaces with the user workstation to determine how to handle the call, refer to Figures 1 and 2 and column 1 lines 48 to 62 and column 2 lines 15 to 21.

9.   With respect to claim 27 - The system of claim 19, where the incoming call signal includes an inbound address and each communications server further comprises a trunk line interface to extract the inbound address and the message processing resource is further configured to determine, based on the inbound address, a user account and a destination on a packet switched network and send the digital representation to the destination.

Rogers discloses that the incoming call signal includes an inbound address, called telephone number, and the call management server is tied to the CO and PBX through trunks, and each server extracts the inbound address (telephone number) and the call management computer based on the inbound address, user account and a destination on the packet switched network (LAN and WAN) sends the digital notification of the call to the user workstation, refer to Figures 1 and 2 and 5 and column 1 48 to 62 and column 2 lines 15 to 21 and column 6 lines 44 to 67 and column 7 lines 25 to 67 and column 8 and column 9 and column 10 lines 1 to 46.

10. With respect to claim 28 - The system of claim 27, where the inbound address is a circuit destination address.

Rogers discloses that the inbound address is a circuit destination address, telephone number, refer to Figures 1 and 2 and 5 and column 11 lines 14 to 67.

11. With respect to claim 29 - The system, of claim 27, where the message processing resource is further configured to validate the inbound address.

Rogers discloses that the call management computer validates the inbound address with the user database, refer to Figure 5 and column 11 lines 21 to 43 and column 17 lines 10 to 67.

12. With respect to claim 30 - The system of claim 19, where the audio message is a facsimile message and the digital representation of the audio message is a graphics file.

Rogers discloses that call management computer detects from the line signaling that the audio message is a facsimile message and the digital representation of the audio message is a graphics file, which is the Fax protocol (bit map file is a graphics file), refer to Figures 1 and 2 and column 40 lines 8 to 67 and column 41 and column 42 lines 1 to 10.

13. With respect to claim 31 - The system of claim 19, where the message processing resource further comprises a processor to:

determine if the audio message contains a facsimile message or a voice message; and,

Rogers discloses that the call management computer determines if the call is a voice, data, or fax call, refer to Figures 1 and 2 and 5 and column 11 lines 45 to 57.

digitize the audio message if the audio message contains the voice message and receive the facsimile message if the audio message contains the facsimile message.

Rogers discloses that the call management computer providing voice-over-Internet capability wherein a DSP processor (voice interface board) digitizes the voice message and interfaces to the telephone instrument, refer to Figure 2 and column 7 lines 49 to 67 and column 9 lines 24 to 52. Rogers discloses detecting that the incoming call is a fax message and receiving the fax message, refer to Figure 5 and column 11 lines 45 to 57.

14.   With respect to claim 32 - A method comprising:

receiving a first incoming call signal destined for a first communications server for processing of an audio message into a digital representation;

Rogers discloses a set of communication servers, one within the PBX, one within the user's workstation, and the other within the call management computer, which receive incoming call signals, both servers are coupled to the data network (organization LAN and WAN networks) and audio messages are processed into digital representation, refer to Figures 1 and 2 and column 2 lines 4 to 58 and column 6 lines 44 to 63 and column 8 lines 46 to 67 and column 9 lines 34 to 52.

determining if a first condition has occurred;

Rogers discloses a set of switches (PBX and the switches within the call management computer) coupled to the circuit switch network, PSTN, for receiving incoming call signals wherein the call management computer determines if the called party is busy (talking on the phone), refer to Figures 1 and 2 and column 1 lines 48 to 62 and column 2 lines 59 to 67 and column 3 lines 1 to 9.

redirecting the first incoming call signal from the first communications server to a second communications server based on the determining of the first condition.

Rogers discloses that if the incoming call is addressed to the user that is on the phone (busy condition) the PBX redirects the call back to the call management computer to be handled using other procedures such as the call management server and user workstation server interact to determine what the user wants to do with the call, refer to Figures 1 and 2 and column 9 lines 54 to 67 and column 10 lines 1 to 46 and column 12 lines 36 to 67 and column 13 lines 1 to 45.

15.   With respect to claim 33 - The method of claim 32, where determining the first condition includes determining that the first communications server sends a rejection signal.

Rogers discloses that the first condition exists if the PBX (switch) sends a busy signal to the call management computer (server) indicating the user is on the phone, refer to Figures 1 and 2 and column 9 lines 54 to 67 and column 10 lines 1 to 46 and

column 12 lines 36 to 67 and column 13 lines 1 to 45 and column 38 lines 55 to 67 and column

39 lines 1 to 15.

16.   With respect to claim 34 - The method of claim 32, where determining the first condition

includes determining that the first communications server is unable to process the incoming call

signal.

>*Rogers discloses that the first condition occurs when the*
>
>*communication server (PBX) is unable to process the incoming call signal since the user is on*
>
>*the phone (busy condition), refer to Figures 1 and 2 and column 2 lines 15 to 21 and column 9*
>
>*lines 54 to 67 and column 10 lines 1 to 46 and column 12 lines 36 to 67 and column 13 lines 1 to*
>
>*45 and column 38 lines 55 to 67 and column 39 lines 1 to 15.*

17.   With respect to claim 35 - The method of claim 32, where the incoming call signal

signals an incoming call and determining the first condition includes determining that the first

communications server is unable to process the incoming call.

>*Rogers discloses that the first condition occurs when the*
>
>*communication server (PBX) is unable to process the incoming call signal since the user is on*
>
>*the phone (busy condition), refer to Figures 1 and 2 and column 2 lines 15 to 21 and column 9*
>
>*lines 54 to 67 and column 10 lines 1 to 46 and column 12 lines 36 to 67 and column 13 lines 1 to*
>
>*45 and column 38 lines 55 to 67 and column 39 lines 1 to 15.*

18.   With respect to claim 36 - The method of claim 32, where determining the first condition

includes determining that a system management unit selects the second communications server

for receiving the incoming call signal.

> *Rogers discloses that the system management unit (call*
>
> *management computer) determines that the second communication server, the user work station,*
>
> *should receive the incoming call since the user is on the phone and the call can not be*
>
> *completed, refer to Figures 1 and 2 and column 2 lines 15 to 21.*

19.   With respect to claim 37 - The method of claim 32, where redirecting the first incoming

call signal includes using a switch to redirect the first incoming signal from the first

communication server to the second communication server.

> *Rogers discloses that the CO/PBX switches redirect the incoming*
>
> *call signal to the call management computer switch, second switch, wherein the call management*
>
> *computer interfaces with the user workstation to determine how to handle the call, refer to*
>
> *Figures 1 and 2 and column 1 lines 48 to 62 and column 2 lines 15 to 21.*

20.   With respect to claim 38 - The method. of claim 32, where the incoming call signal

includes an inbound address and the method further including:

extracting the inbound address;

determining, based on the inbound address, a user account and a destination on a packet

switched network; and,

sending the digital representation to the destination.

Rogers discloses that the incoming call signal includes an inbound

address, called telephone number, and the call management server is tied to the CO and PBX

through trunks, and each server extracts the inbound address (telephone number) and the call

management computer based on the inbound address, user account and a destination on the

packet switched network (LAN and WAN) sends the digital notification of the call to the user

workstation, refer to Figures 1 and 2 and 5 and column 1 48 to 62 and column 2 lines 15 to 21

and column 6 lines 44 to 67 and column 7 lines 25 to 67 and column 8 and column 9 and column

10 lines 1 to 46.

21. With respect to claim 39 - The method of claim 38, where the inbound address is a

circuit destination address.

Rogers discloses that the inbound address is a circuit destination

address, telephone number, refer to Figures 1 and 2 and 5 and column 11 lines 14 to 67.

22. With respect to claim 40 - The method of claim 38, further including validating

the inbound address.

Rogers discloses that the call management computer validates the

inbound address with the user database, refer to Figure 5 and column 11 lines 21 to 43 and

column 17 lines 10 to 67.

23.   With respect to claim 41 - The method of claim 32, where the audio message is a

facsimile message and the digital representation of the audio message is a graphics file.

Rogers discloses that call management computer detects from the

line signaling that the audio message is a facsimile message and the digital representation of the

audio message is a graphics file, which is the Fax protocol (bit map file is a graphics file), refer

to Figures 1 and 2 and column 40 lines 8 to 67 and column 41 and column 42 lines 1 to 10.

24.   With respect to claim 42 - The method of claim 32, further including:

determining if the audio message contains a facsimile message or a voice

message; and,

Rogers discloses that the call management computer determines if

the call is a voice, data, or fax call, refer to Figures 1 and 2 and 5 and column 11 lines 45 to 57.

digitizing the audio message if the audio message contains the voice message and

receiving the facsimile message if the audio message contains the facsimile message.

Rogers discloses that the call management computer providing

voice-over-Internet capability wherein a DSP processor (voice interface board) digitizes the

voice message and interfaces to the telephone instrument, refer to Figure 2 and column 7 lines

49 to 67 and column 9 lines 24 to 52. Rogers discloses detecting that the incoming call is a fax

message and receiving the fax message, refer to Figure 5 and column 11 lines 45 to 57.

Response to Arguments

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Applicant's arguments with respect to claims 1-18 have been considered but are

moot in view of the new ground(s) of rejection since the applicants canceled claims 1-18.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

1.   Speicher (US 5,996,006) discloses an Internet audiotext electronic advertising system

with enhanced matching and notification.

2.   Focsaneanu et al. (US 5,991,292) discloses a network access in multi-service

environment.

3.   Guck (US 5,911,776) discloses an automatic format conversion system and publishing

methodology for multi-user network.

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to John Pezzlo whose telephone number is (703) 306-5420. The examiner can

normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hassan Kizou, can be reached on (703) 305-4744. The fax phone number for the

organization where this application or proceeding is assigned is (703) 308-6743.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(703) 308-6743 or (703) 305-3988

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Receptionist (Sixth floor)

Crystal Park 2

2121 Crystal Drive

Arlington, VA.

Art Unit: 2738

John Pezzlo

21 March 2000

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